

U.S. DISTRICT COURT
JAN - 7 2005
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CLERK

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JAN - 7 2005

U.S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

THE SCO GROUP, INC.

Plaintiff/Counterclaim-
Defendant,

v.

INTERNATIONAL BUSINESS
MACHINES CORPORATION,

Defendant/Counterclaim-
Plaintiff.

~~PROPOSED~~
ORDER RE BRIEFING FOR PENDING
MOTIONS

Civil No. 2:03CV0294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

Based upon the stipulation of the parties, and good cause appearing,

IT IS HEREBY ORDERED as follows:

IBM's Memorandum in Opposition to SCO's Renewed Motion to Compel Discovery
shall be due on February 4, 2005;

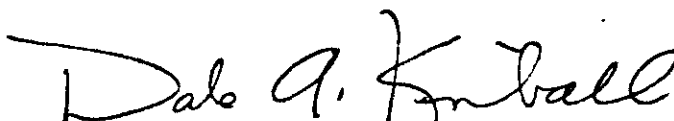
IBM's Reply Memorandum in Support of its Motion for Partial Summary Judgment on
Breach of Contract Claims shall be due on February 25, 2005; and

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IBM's Reply Memorandum in Support of its Motion for Partial Summary Judgment on its Counterclaim for Copyright Infringement (Eighth Counterclaim) shall be due on February 25, 2005.

DATED this 7th day of January, 2005.

BY THE COURT:



Honorable Dale A. Kimball
United States District Court

APPROVED AS TO FORM:

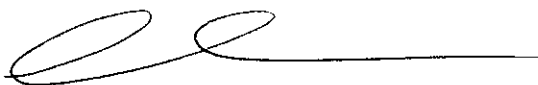
SNELL & WILMER L.L.P.

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Todd M. Shaughnessy
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CRAVATH, SWAINE & MOORE

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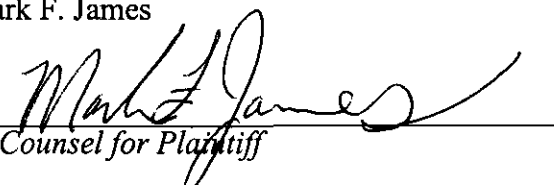
By


*Counsel for Defendant International
Business Machines Corporation*

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Mark F. James

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Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on the 7th day of January, 2005, a true and correct copy of the foregoing was and was sent by U.S. Mail, postage prepaid, to the following:

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Karen Butler

blk

United States District Court
for the
District of Utah
January 10, 2005

* * CERTIFICATE OF SERVICE OF CLERK * *

Re: 2:03-cv-00294

True and correct copies of the attached were either mailed, faxed or e-mailed by the clerk to the following:

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